

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-11119

Theodore Koltin, et al

v.

City of Fall River Police Department et al

CLERK'S CERTIFICATE

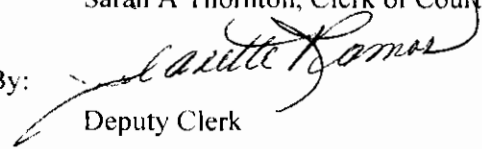
I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered: 1-12

and contained in 1 Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 12/5/2007.

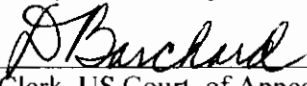
In testimony whereof, I hereunto set my hand and affix the seal of this Court on December 18, 2007.

Sarah A Thornton, Clerk of Court

By:


Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 12/18/07.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-11119-PBS**

Koltin v. Fall River Police Department et al
Assigned to: Judge Patti B. Saris
Cause: 42:1983 Civil Rights Act

Date Filed: 05/24/2005
Date Terminated: 11/02/2006
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Harold Koltin

represented by **Harold Koltin**
P.O. Box 275
Malden, MA 02148
781-322-3871
PRO SE

Plaintiff

Edith Koltin
TERMINATED: 07/12/2005

represented by **Edith Koltin**
P.O. Box 882
Fall River, MA 02722
PRO SE

Plaintiff

Theodore Koltin
TERMINATED: 07/12/2005

represented by **Theodore Koltin**
P.O. Box 882
Fall River, MA 02722
PRO SE

V.

Defendant

Fall River Police Department

Defendant

City of Fall River

Defendant

Charlton Memorial Hospital

Defendant

United States Postal Service

Defendant

Walmart Inc.

Defendant

**Walmart Parking Lot Security
Agency (Fall River)**

Defendant

John Souza
Fall River Police Chief Captain

Defendant

Captain McGuire
Fall River Police Department

Defendant

Lieutenant Costa

Defendant

Thomas Burns
Fall River Police Department Officer

Defendant

Lisa Ahaesy
Fall River Police Department Officer

Defendant

S. Tripp
Fall River Police Department Officer

Defendant

P. McNerney
Fall River Police Department Officer

Defendant

R. Briand
Fall River Police Department Officer

Defendant

K. Furtado
Fall River Police Officer

Defendant

A. Saucier
Fall River Police Officer

Defendant

R. Lavoie

Fall River Police Officer

Defendant

K. Silva

Fall River Police Officer

Defendant

Paul Carey

Fall River Police Officer

Defendant

D. Paquet

Fall River Police Officer

Defendant

L. Silva

Fall River Police Department

Defendant

John Doe

Fall River Police Department

Defendant

D. Conson

Fall River Police Officer

Defendant

S. Correira

Fall River Police Officer

Defendant

B. Sullivan

Fall River Police Officer

Defendant

C. Freitas

Fall River Police Officer

Defendant

B. Robine

Fall River Police Department

Defendant

K. Niles

Fall River Police Department

Defendant

R. Gagnon

Fall River Police Officer

Defendant

T. Barboza

Fall River Police Officer

Defendant

J. Robinson

Fall River Police Department

Defendant

J. Reis

Fall River Police Officer

Defendant

Roger LaFleur

Fall River Police Officer

Defendant

John McDonald

Fall River Police Officer

Defendant

Officer Armand Oullette

Fall River Police Officer

Defendant

Richard Saraiva

Fall River Police Officer

Defendant

Officer Wayne Rosario

Fall River Police Officer

Defendant

Armand Daylor

Fall River Police Officer

Defendant

Albert John Doe

Fall River Police Officer

Defendant

Scott Cabral

Fall River Police Officer

Defendant

James Silvia

Fall River Police Officer

Defendant

Joseph John Doe

*Fall River Police Officer, Acting
Lieutenant*

Defendant

Ed Schwartz

Fall River Police Officer

Defendant

Dan Dube

Fall River Police Officer Detective

Defendant

Francis McDonald

Fall River Police Officer-Ex Chif

Defendant

J. Bergeron

Fall River Police Officer

Defendant

G. Pasternak

Fall River Police Officer

Defendant

R. Medeiros

Fall River Police Officer

Defendant

Pat Doe

Fall River Police Officer

Defendant

Thomas Strojny

Fall River Police Officer

Defendant

Paul Ramunno

Fall River Police Officer

Defendant

Michael Hoar

Fall River Police Officer

Defendant

James Riley

Fall River Police Officer

Defendant

Wendall Burke

Fall River Police Officer

Defendant

**Bristol County District Attorney's
Office**

Defendant

District Attorney Paul Walsh

District Attorney-Bristol County

Defendant

District Attorney David Crowley

Defendant

Tim McGuire

Supervising Assistant District Attorney

Defendant

Jane Doe

Clerk

Defendant

Jane Doe-2

Defendant

Thomas Hodgson

Bristol County Sheriff

Defendant

Fall River District Court

Defendant

Ronald Valcourt

Clerk Magistrate

Defendant

Cassidy

1st Assistant Clerk

Defendant

Sharon Hague Correia

2nd Assistant Clerk

Defendant

Jane Doe-3

Defendant

Jane Doe-4

Clerk

Defendant

Dennis Medeiros

Security Officer

Defendant

John Doe-5

Security Officer

Defendant

Bristol Superior Court (Fall River)

Defendant

Phillip Leddy

Clerk-Bristol Superior Court

Defendant

John Albin

*Court Liason-Officer-Fall River Police
Department*

Defendant

Ronald Goodspeed

Charlton Memorial Hospital

Defendant

Jane Doe-5

Nurse

Defendant

Jane Doe-6

Nurse

Defendant

Jane Doe-7

Defendant

Pat Doe

Nurse Manager

Defendant

Pat Doe-5

Emergency Room Receptionist

Defendant

Pat Doe-6

Walmart Store Manager-Fall River

Defendant

Jane Doe-7

Walmart Security Head-Fall River

Defendant

John Doe-6

Walmart Inc. CEO

Defendant

John Doe-7

Fall River Walmart Security Agent

Defendant

John Doe-8

Fall River Walmart Security Agent

Defendant

John Flowers

Walmart Security Supervisor

Defendant

William Araujo

United States Postal Carrier

Defendant

John Doe-9

United States Postal Service Inspector

Defendant

Jane Doe-8

United States Postal Service-Head-Fall River

Defendant

Jane Doe-9

United States Postal Inspector General-Denver Colorado

Defendant

Nina Walters

Defendant

Mark Rose

Defendant

Candice Pacheco

Defendant**Jeffrey Entin****Defendant****Nathan Dinucci****Defendant****John Doe-11***Dinucci Accessory***Defendant****John Doe-10***Dinucci Accessory***Defendant****Edward Lambert***Mayor of the City of Fall River***Defendant****John Doe-12***Surveillance Perpetrator-84Renwood
Street Fall River***Defendant****John Doe-13***84 RSSP***Defendant****John Doe -14***84 RSSP***Defendant****John Doe-15***84 RSSP***Defendant****John Doe-16***84 RSSP***Defendant****JOhn Doe-17***84 RSSP***Defendant****John Doe-18***84 RSSP***Defendant**

Pat Doe-10
84 RSSP

Defendant

Pat Doe-11
84 RSSP

Defendant

Louis Costa

Defendant







John Doe-19
Fall River Police Officer

Defendant




Bristol County Sheriff's Office

Defendant

C. Yelle

Date Filed	#	Docket Text
05/24/2005	 1	MOTION for Leave to Proceed in forma pauperis by Harold Koltin, Edith Koltin, Theodore Koltin.(Jenness, Susan) (Entered: 06/01/2005)
05/24/2005	 2	COMPLAINT against all defendants Filing fee: \$ 0.00, receipt number 0.00, filed by Harold Koltin, Edith Koltin, Theodore Koltin. (Attachments: # 1 Civil Cover Sheet)(Jenness, Susan) (Entered: 06/01/2005)
05/24/2005		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Jenness, Susan) (Entered: 06/01/2005)
06/24/2005	 3	AMENDED COMPLAINT against all defendants, filed by Harold Koltin, Edith Koltin, Theodore Koltin.(Jenness, Susan) (Entered: 06/28/2005)
07/12/2005	 4	Judge Patti B. Saris : ORDER entered granting 1 Motion for Leave to Proceed in forma pauperis. Plaintiff Harold Koltin is directed to demonstrate good cause, in writing, within thirty-five (35) days of the date of this Memorandum and Order. why this action should not be dismissed for the reasons stated in the Memorandum and Order. In the alternative, plaintiff may, if he chooses. file an amended complaint within the stated timeframe. The Clerk shall correct the case caption to list Harold Koltin as the sole plaintiff in this action. Copy of the Memorandum and Order mailed to Harold Koltin. (Morse, Barbara) (Entered: 07/13/2005)
07/13/2005		Set Deadlines/Hearings: Plaintiff to demonstrate good cause why this

		action should not be dismissed or file an amended complaint by 8/16/2005. (Morse, Barbara) (Entered: 07/13/2005)
08/16/2005	<u>35</u>	AMENDED COMPLAINT against Nina Walters, John Souza, Thomas Burns, Lisa Ahaesy, P. Mc Nerney, R. Briand, K. Furtado, A. Saucier, R. Lavoie, K. Silva, Paul Carey, D. Paquet, L. Silva, K. Niles, Roger LaFleur, Richard Saraiva, Wayne Rosario, Armand Daylor, Scott Cabral, James Silvia, G. Pasternak, Thomas Strojny, Michael Hoar, City of Fall River, Tim McGuire, filed by Harold Koltin, Edith Koltin, Theodore Koltin, C. Yelle.(Patch, Christine) Modified on 8/18/2005 (Patch, Christine). (Entered: 08/18/2005)
11/28/2005	<u>38</u>	AMENDED COMPLAINT against all defendants, filed by Harold Koltin.(Photocopy of amended complaint filed by Plaintiff on March 24, 2006 as the court has no record of receiving the amended complaint in November 28, 2005)(Jenness, Susan) Modified on 3/28/2006 (Jenness, Susan). (Entered: 03/28/2006)
03/06/2006	<u>36</u>	Letter to Susan Jenness from Harold Koltin stating that he is a patient in the hospital. (Patch, Christine) (Entered: 03/08/2006)
03/16/2006	<u>37</u>	Letter to Christine Patch from Harold Koltin re: Status of case. (Patch, Christine) (Entered: 03/27/2006)
03/27/2006	<u>3</u>	DOCKET SHEET sent to Harold Koltin. (Patch, Christine) (Entered: 03/27/2006)
11/01/2006	<u>39</u>	Judge Patti B. Saris : ORDER entered. MEMORANDUM AND ORDER that this case is dismissed in accordance with this Court's order dated July 12, 2005, and plaintiff Harold Koltin not having shown good cause why this case should not be dismissed pursuant to 28 U.S.C. section 1915(e) (2).(PSSA, 4) (Entered: 11/02/2006)
11/02/2006	<u>310</u>	Judge Patti B. Saris : ORDER entered. ORDER DISMISSING CASE pursuant to 28 U.S.C. section 1915(e)(2) for the reasons stated in the Memorandum and Order dated November 1, 2006.(PSSA, 4) (Entered: 11/02/2006)
10/29/2007	<u>311</u>	MOTION to Vacate 9 Memorandum & ORDER, by Harold Koltin, Edith Koltin, Theodore Koltin. (Attachments: # 1 Affidavit Theodore Koltin# 2 Affidavit Edith Koltin)(Patch, Christine) (Entered: 11/01/2007)
11/01/2007	<u>3</u>	Judge Patti B. Saris : Electronic ORDER entered denying 11 Motion to Vacate 9 Memorandum & ORDER. "Denied as untimely." (Patch, Christine) (Entered: 11/05/2007)
12/05/2007	<u>312</u>	NOTICE OF APPEAL as to Order on Motion to Vacate by Harold Koltin, Edith Koltin, Theodore Koltin NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals.Appeal Record due by 12/25/2007. (Patch, Christine) (Entered: 12/10/2007)

12/05/2007	 <u>13</u>	MOTION to Appoint Counsel by Harold Koltin, Edith Koltin, Theodore Koltin.(Patch, Christine) (Entered: 12/10/2007)
12/05/2007	 <u>14</u>	MOTION for Leave to Appeal in forma pauperis by Harold Koltin. (Patch, Christine) (Entered: 12/10/2007)
12/05/2007	 <u>15</u>	AFFIDAVIT in Support re 14 MOTION for Leave to Appeal in forma pauperis. (Patch, Christine) (Entered: 12/10/2007)